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EXAMINER				
RENNER, CRAIG A				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/826,505

Applicant(s)

NAKAO ET AL.

Examiner

Craig A. Renner

Art Unit

2627

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 March 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3, 7-22 and 24-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-3, 7-22, 24 and 25 is/are allowed.
- 6) ☒ Claim(s) 26, 28 and 29 is/are rejected.
- 7) ☒ Claim(s) 27 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 March 2008 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Drawings

1. The drawings were received on 28 March 2008. These drawings are accepted.

Specification

2. The disclosure is objected to because of the following informalities:
 - a. In line 3 of claim 1, "magnetic tapes" should be changed to --a magnetic tape-- for better clarity.
 - b. In lines 5-6 of claim 1, "a magnetic tape" should be changed to --the magnetic tape-- in order to more clearly refer back to its corrected antecedent.
See paragraph 2a, supra.
 - c. In lines 12-13 in each of claims 1 and 2, "plane surface" should be corrected to read --plane-- in order to properly correspond with that shown in the drawings.
 - d. In line 3 of claim 2, "magnetic tapes" should be changed to --a magnetic tape-- for better clarity.
 - e. In lines 5-6 of claim 2, "a magnetic tape" should be changed to --the magnetic tape-- in order to more clearly refer back to its corrected antecedent.
See paragraph 2d, supra.
 - f. In line 3 of claim 3, "magnetic tapes" should be changed to --a magnetic tape-- for better clarity.

g. In lines 5-6 of claim 3, "a magnetic tape" should be changed to --the magnetic tape-- in order to more clearly refer back to its corrected antecedent. See paragraph 2f, supra.

h. In line 11 of claim 3, "the downstream and the upstream edge" should be changed to --a downstream edge and an upstream edge-- in order to provide proper antecedence.

i. In line 13 of claim 3, "the downstream" should be changed to --the downstream edge-- in order to more clearly refer back to its corrected antecedent. See paragraph 2h, supra.

j. In lines 15-17 of claim 3, "a plane surface formed by the downstream and the upstream edge of said servo signal recording head and said outer edge of each said guide block is in a range of 1.0 to 6.0 degrees" would read better if rewritten --a plane ~~surface~~ formed by at least one of the downstream edge and the upstream edge of said servo signal recording head and said outer edge of ~~each~~ at least one of said guide blocks is in a range of 1.0 to 6.0 degrees--.

k. In line 3 in each of claims 16 and 17, "plane surface" should be corrected to read --plane-- in order to properly correspond with that shown in the drawings.

l. In line 5 in each of claims 16 and 17, "a tape guide which is added to said guide block" should be corrected to read --a tape guide which is adjacent to said guide block-- in order to properly correspond with that shown in the drawings.

m. In lines 3-7 of claim 18, "a plane surface formed by the downstream and the upstream edge of said servo signal recording head and said outer edge of each said guide block and a plane formed by the outer edge of each said guide block and an edge of a tape guide which is added to each said guide block along a passing line of said magnetic tape is 0.5 to 2.0 degrees" would read better if rewritten --a plane ~~surface~~ formed by at least one of the downstream edge and the upstream edge of said servo signal recording head and said outer edge of ~~each~~ at least one of said guide blocks and a plane formed by the outer edge of ~~each~~ said at least one of said guide blocks and an edge of a tape guide which is ~~added adjacent~~ to ~~each~~ said at least one of said guide blocks along a passing line of said magnetic tape is 0.5 to 2.0 degrees--.

n. In lines 2-4 of claim 24, "the guide block is comprised of an inner wall, which is a wall that closest to the servo signal recording head, and an outer wall, which is the wall that is farthest away from the servo signal recording head, wherein the outer edge is formed on the edge of the outer wall" would read better if rewritten --the guide block is comprised of an inner wall, which is ~~a wall that~~ closest to the servo signal recording head, and an outer wall, which is ~~the wall that is~~ farthest away from the servo signal recording head, wherein the outer edge is formed on ~~the edge of~~ the outer wall--.

Appropriate correction is required.

Claim Objections

3. The claims are objected to because they include reference characters which are not enclosed within parentheses. Reference characters corresponding to elements recited in the detailed description of the drawings and used in conjunction with the recitation of the same element or group of elements in the claims should be enclosed within parentheses so as to avoid confusion with other numbers or characters which may appear in the claims. See MPEP § 608.01(m). Note, for instance, "61" (line 12 of claim 1, line 12 of claim 2, and line 15 of claim 3) and "62" (line 3 in each of claim 16-18).

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 26, 28 and 29 are rejected under 35 U.S.C. 102(b) as being anticipated by Biskeborn et al. (US 5,883,770).

Biskeborn et al. (US 5,883,770) teaches a writer comprising a magnetic tape (71/84); a magnetic tape driving assembly (80); a controller (82) which controls the tape driving assembly; and a magnetic head assembly (includes 71) capable of recording servo signals on the magnetic tape, the magnetic head

assembly comprising a recording head (71) capable of recording servo signal, wherein a sliding surface of the recording head has a magnetic gap (73) embedded thereon (as shown in FIG. 13, for instance), and a guide block (70) which is set adjacent to a position of up-stream of a line of the magnetic tape passing the recording head and is slightly set back from the sliding surface of the recording head (lines 9-13 in column 6, for instance) so that the magnetic tape slides on an edge of the recording head and on an outer edge of the guide block (as shown in FIG. 13, for instance), wherein the recording head includes a planar surface as the sliding surface and wherein an uppermost surface of the guide block is substantially parallel to the planar sliding surface (as shown in FIG. 13, for instance) [as per claim 26]; wherein the magnetic tape slides on the sliding surface of the recording head (as shown in FIG. 13, for instance) [as per claim 28]; and wherein the magnetic tape is not parallel to the uppermost surface of the guide block (as shown in FIG. 13, for instance, i.e., the portion of the tape between elements 70 and 71 is not parallel to the uppermost surface of the guide block, but it is noted that the magnetic tape immediately above the guide block is not parallel to the uppermost surface of the guide block) [as per claim 29].

Allowable Subject Matter

6. Claims 1-3, 7-22 and 24-25 are allowable over the prior art of record. Claim 27 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

7. Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Craig A. Renner whose telephone number is (571)272-7580. The examiner can normally be reached on Tuesday-Friday 9:00 AM - 7:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, A. L. Wellington can be reached on (571) 272-4483. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Craig A Renner/
Primary Examiner, Art Unit 2627

CAR